

REMARKS / ARGUMENTS

Information Disclosure Statement

Please find enclosed herewith a supplemental Information Disclosure Statement which is respectfully submitted by the Applicant, pursuant to 37 CFR § 1.97(c)(2), for consideration by the United States Patent and Trademark Office. Please also find enclosed herewith a money order in full payment of the requisite fee in this regard, as set forth in 37 CFR § 1.17(p).

Claim Amendments

Claims 1-21 remain in this application. With this response, claims 1, 6 and 7 have been currently amended. As further detailed hereinbelow, all amendments to claims 1, 6 and 7 were made for the purposes of clarifying the claims, only, and were not made for reasons relating to 35 U.S.C. § 102 or 103.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph

In the aforementioned Office Action, the Examiner rejected, *inter alia*, Claims 1, 6 and 7 pursuant to 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. With this

amendment, therefore, claims 1, 6 and 7 have been currently amended, in line with the Applicant's intent, to more particularly point out and distinctly claim the subcombination of a vehicle seat for use with a floor tub within a vehicle floor.

In view of these amendments, therefore, the Applicant respectfully requests that the Examiner remove his previous objection to each of claims 1, 6 and 7 under 35 U.S.C. § 112, second paragraph.

Allowable Subject Matter

In the aforementioned Office Action, the Examiner acknowledged that claim 1 would be allowable if amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, as set forth therein. In this light, therefore, the Applicant respectfully submits that claim 1, as currently amended hereinabove, is now directed to allowable subject matter.

Likewise, and because each of remaining claims 2-21 depend from currently amended claim 1, and insofar as claim 1 is presently allowable in view of the foregoing amendments and submissions, it is the Applicant's respectful submission that claims 2-21 are likewise now also allowable.

Summary

Reconsideration of the above-identified application in view of the preceding amendments and remarks with a view toward timely issuance of a Notice of Allowance is respectfully requested. If after reviewing this response, the Examiner believes that a telephone or personal interview would facilitate the resolution of any remaining matters, the undersigned attorney may be contacted at the number set forth hereinbelow.

Respectfully submitted,

August 3, 2005

Date

KEH/ms

HOFBAUER ASSOCIATES
1455 Lakeshore Road, Suite 205N
Burlington, Ontario
Canada L7S 2J1
Tel: 905.634.0040
Fax: 905.634.9119



Kevin E. Holbeche
Registration No. 56,495

Enclosures

Supplemental Information Disclosure Statement
Fee set forth in 37 CFR § 1.17(p)
Foreign Patent Documents (Cite Nos. 2-8)